# EXHIBIT B

Report: CZR0026

21ST JUDICIAL CIRCUIT
ST LOUIS COUNTY
CIRCUIT COURT DOCKET SHEET

Date: 28-Nov-2012
Time: 1:54:57PM
Page: 1

**12SL-CC03792** **ST LOUIS HEART CENTER V FOREST PHARMACEUTICAL ETAL** **Security Level: 1 Public**

**Case Type:** CC Injunction **Case Filing Date:** 04-Oct-2012
**Status:** Pet Filed in Circuit Ct
**Disposition:** **Disposition Date:**

| | | Release/Status Change Date | Reason |
|---|---|---|---|
| Judge | ROBERT S COHEN (22187) | | |
| Plaintiff | **ST LOUIS HEART CENTER INC (ASTLHRTCN)** | | |
| Attorney for Plaintiff | MAX GEORGE MARGULIS(24325) | | |
| Defendant | **FOREST PHARMACEUTICALS INC (AFORPHA)** | | |
| | **THE PEER GROUP INC (PEERGROUP)** | | |

| Filing Date | Description |
|---|---|
| 04-Oct-2012 | **Judge Assigned**<br>DIV 1 |
| | **Pet Filed in Circuit Ct** |
| | **Confid Filing Info Sheet Filed** |
| | **Motion Filed**<br>MOTION FOR CLASS CERTIFICATION |
| | **Motion Special Process Server**<br>GLENN BURROUGHS APPROVED ON OCTOBER 15, 2012 |
| 15-Oct-2012 | **Summons Issued-Circuit**<br>Document ID: 12-SMCC-13191, for FOREST PHARMACEUTICALS INC.<br>MAILED TO ATTORNEY<br>**Service/Attempt Date:** 01-Nov-2012 |
| | **Summ Issd- Circ Pers Serv O/S**<br>Document ID: 12-SMOS-1227, for THE PEER GROUP INC.<br>MAILED TO ATTORNEY |
| 19-Nov-2012 | **Summons Personally Served**<br>Document ID - 12-SMCC-13191; Served To - FOREST PHARMACEUTICALS INC; Server - ; Served Date - 01-NOV-12; Served Time - 08:00:00; Service Type - Sheriff Department; Reason Description - Served |
| 21-Nov-2012 | **Dismissal Hearing Scheduled**<br>**Scheduled For:** 19-Dec-2012; 0:00 AM; ROBERT S COHEN; **Setting:** 0; St Louis County |
| | **Notice**<br>Copy of Notices Filed and Mailed This Day to the Parties of Record. |
| 28-Nov-2012 | **Remove Case - Setting Docket**<br>FROM 12/19/12 DISMISSAL DOCKET. JUDGE ROBERT COHEN |

In the
# CIRCUIT COURT
## of St. Louis County, Missouri

For File Stamp Only

FILED
NOV 28 2012
JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

ST LOUIS HEART CENTER
Plaintiff

Date 11/28/12

vs.

Case Number 12 SL-CC03792

FOREST PHARMACEUTICAL, INC & THE PEER GROUP, INC
Defendant

Division 1

## ORDER TO REMOVE CASE FROM DISMISSAL DOCKET

Case removed from the Dismissal Docket of DECEMBER 19, 2012.

☐ Default and Inquiry granted, to be heard within _____ (days).

☐ Defendant in default; case to be set and heard within _____ (days).

☐ Summons shall be requested within _____ (days).

☐ Motion to dismiss/make more definite, etc. to be argued within _____ (days).

☐ Discovery shall be completed by _____.

☑ Other: SERVICE OBTAINED ON BOTH DEFENDANTS

FAILURE TO COMPLY WITH THIS ORDER SHALL RESULT IN IMMEDIATE DISMISSAL OF THIS CASE WITH NO FURTHER NOTICE, PURSUANT TO MISSOURI SUPREME COURT ADMINISTRATIVE RULE 17 ESTABLISHING CASE PROCESSING TIME STANDARDS FOR MISSOURI TRIAL COURTS.

Max H. Morphy 24325
Attorney Bar No.

Address

Phone No. Fax No.

Attorney Bar No.

Address

Phone No. Fax No.

Judge/Division

CCCDT174 Rev. 02/98 WHITE - File YELLOW - Docket Clerk PINK - Attorney GOLDENROD - Attorney

# IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

| | |
|---|---|
| Judge or Division:<br>ROBERT S COHEN | **Case Number: 12SL-CC03792** |
| Plaintiff/Petitioner:<br>ST LOUIS HEART CENTER INC<br>vs. | Plaintiff's/Petitioner's Attorney/Address<br>MAX GEORGE MARGULIS<br>28 OLD BELLE MONTE ROAD<br>CHESTERFIELD, MO 63017 |
| Defendant/Respondent:<br>FOREST PHARMACEUTICALS INC | Court Address:<br>ST LOUIS COUNTY COURT BUILDING<br>7900 CARONDELET AVE<br>CLAYTON, MO 63105 |
| Nature of Suit:<br>CC Injunction | (Date File Stamp) |

RECEIVED
OCT 29 2012
COLE COUNTY
SHERIFF'S OFFICE

FILED

## Summons in Civil Case

NOV 19 2012

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

**The State of Missouri to:** **FOREST PHARMACEUTICALS INC**
**Alias:**
**UNITED STATES CORPORATION CO**
**221 BOLIVAR STREET**
**JEFFERSON CITY, MO 65101**

*COURT SEAL OF*
*ST. LOUIS COUNTY*

**You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.**

15-OCT-2012
Date

Joan M. Gilmer
Clerk

Further Information:
JMC

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

_____ (name) _____ (title).

☒ other SERVED FOREST PHARMACEUTICALS INC / UNITED STATES CORPORATION CO, F. BAXTER, DEPUTY SEC

Served at 221 BOLIVAR ST. J.C., MO. 65101 (address)

in COLE (County/City of St. Louis), MO, on 11-1-12 (date) at 0900 (time).

G. WHITE
Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____
Date

_____
Notary Public

**Sheriff's Fees, if applicable**

| | |
|---|---|
| Summons | $ _____ |
| Non Est | $ _____ |
| Sheriff's Deputy Salary | |
| Supplemental Surcharge | $ 10.00 |
| Mileage | $ _____ (_____ miles @ $ ._____ per mile) |
| Total | $ _____ |

34.50
30.00

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

JOAN M. GILMER
CIRCUIT CLERK
ST. LOUIS COUNTY CIRCUIT COURT
7900 CARONDELET AVENUE
CLAYTON, MISSOURI 63105 -1766

SPECIAL NEEDS: If you have special needs addressed by the American With Disabilities Act, please notify the Circuit Clerk's Office at 314/615-8029, Fax 314/615-8739, or TTY 314/615-4567, at least three business days in advance of the court proceeding.

# IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

CASE NUMBER: 12SL-CC03792
ST LOUIS HEART CENTER INC

COURT DATE: DECEMBER 19, 2012
DIVISION: DIV1

VS

FOREST PHARMACEUTICALS INC

THE ABOVE STYLED CAUSE WILL BE DISMISSED WITHOUT PREJUDICE BY THE COURT ON THE DATE INDICATED ABOVE. COSTS TO BE ASSESSED AGAINST THE FILING PARTY PURSUANT TO RULE 77.01.

IF REQUESTING A REMOVAL, APPEAR PRIOR TO THE ABOVE INDICATED DATE. AT THAT TIME, UPDATE THE COURT AS TO THE CURRENT STATUS OF THE RELATED LITIGATION OR CIRCUMSTANCES WHICH HAVE DELAYED THESE PROCEEDINGS.

IF THIS IS A CASE PASSED FOR SETTLEMENT, MORE THAN 30 DAYS HAS ELAPSED. THE CASE WILL BE DISMISSED, AS STATED ABOVE, UNLESS YOUR DISMISSAL IS FILED WITH THE DIVISION CLERK PRIOR TO THE ABOVE DISMISSAL DATE.

JOAN M. GILMER, CIRCUIT CLERK
November 21, 2012

12SL-CC03792 DIV1
MAX GEORGE MARGULIS
28 OLD BELLE MONTE RD
CHESTERFIELD, MO 63017

# IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

| | |
|---|---|
| Judge or Division:<br>ROBERT S COHEN | **Case Number: 12SL-CC03792** |
| Plaintiff/Petitioner:<br>ST LOUIS HEART CENTER INC<br>**vs.** | Plaintiff's/Petitioner's Attorney/Address<br>MAX GEORGE MARGULIS<br>28 OLD BELLE MONTE ROAD<br>CHESTERFIELD, MO 63017 |
| Defendant/Respondent:<br>FOREST PHARMACEUTICALS INC | Court Address:<br>ST LOUIS COUNTY COURT BUILDING<br>7900 CARONDELET AVE<br>CLAYTON, MO 63105 |
| Nature of Suit:<br>CC Injunction | |

(Date File Stamp)

## Summons in Civil Case

**The State of Missouri to: FOREST PHARMACEUTICALS INC**
**Alias:**
**UNITED STATES CORPORATION CO**
**221 BOLIVAR STREET**
**JEFFERSON CITY, MO 65101**

*COURT SEAL OF*
*ST. LOUIS COUNTY*

**You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.**

15-OCT-2012
Date

Clerk

Further Information:
JMC

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

_____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

_____ Printed Name of Sheriff or Server

_____ Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

*(Seal)*

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date

_____ Notary Public

**Sheriff's Fees, if applicable**

| | |
|---|---|
| Summons | $ _____ |
| Non Est | $ _____ |
| Sheriff's Deputy Salary | |
| Supplemental Surcharge | $ 10.00 |
| Mileage | $ _____ (_____ miles @ $ ._____ per mile) |
| Total | $ _____ |

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

# IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

| | |
|---|---|
| Judge or Division:<br>ROBERT S COHEN | **Case Number: 12SL-CC03792** |
| Plaintiff/Petitioner:<br>ST LOUIS HEART CENTER INC<br>**vs.** | Plaintiff's/Petitioner's Attorney/Address:<br>MAX GEORGE MARGULIS<br>28 OLD BELLE MONTE ROAD<br>CHESTERFIELD, MO 63017 |
| Defendant/Respondent:<br>FOREST PHARMACEUTICALS INC | Court Address:<br>ST LOUIS COUNTY COURT BUILDING<br>7900 CARONDELET AVE<br>CLAYTON, MO 63105 |
| Nature of Suit:<br>CC Injunction | (Date File Stamp) |

## Summons for Personal Service Outside the State of Missouri
## (Except Attachment Action)

**The State of Missouri to: THE PEER GROUP INC**
**Alias:**

**CORPORATION SERVICE COMPANY**
**830 BEAR TAVERN RD**
**WEST TRENTON, NJ 08628**

*COURT SEAL OF*

*ST. LOUIS COUNTY*

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

15-OCT-2012
Date

Joan M. Gilmer
Clerk

Further Information:
JMC

### Officer's or Server's Affidavit of Service

I certify that:

1. I am authorized to serve process in civil actions within the state or territory where the above summons was served.
2. My official title is _____ of _____ County, _____ (state).
3. I have served the above summons by: (check one)
   - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
   - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
   - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
   - ☐ other (describe) _____.

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

_____ Printed Name of Sheriff or Server

_____ Signature of Sheriff or Server

**Subscribed and Sworn To** me before this _____ (day) _____ (month) _____ (year)

I am: (check one)
- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

*(Seal)*

_____ Signature and Title

**Service Fees, if applicable**

| | |
|---|---|
| Summons | $_____ |
| Non Est | $_____ |
| Mileage | $_____ (_____ miles @ $ _____ per mile) |
| **Total** | **$**_____ |

**See the following page for directions to clerk and to officer making return on service of summons.**

## Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

## Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.

In the
# CIRCUIT COURT
## Of St. Louis County, Missouri

12SL-CC04152

RECEIVED
CIRCUIT COURT
OF
ST. LOUIS
COUNTY

2012 OCT 15 PM 2:15

For File Stamp Only

St. Louis Heart Center, Inc. individually and on behalf of all others similarly situated
Plaintiff/Petitioner

vs.

Forest Pharmaceuticals, Inc. AND The Peer Group, Inc.
Defendant/Respondent

Date

Case Number

1

Division

## REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now Max G. Margulis, Attorney for Plaintiff, pursuant
Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

Glenn Burroughs, Ameriserve, LLC PO Box 7473 West Trenton NJ 08628 P. 732-719-4915
Name of Process Server — Address — Telephone

Name of Process Server — Address or in the Alternative — Telephone

Name of Process Server — Address or in the Alternative — Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE:
The Peer Group C
Corporation Service Company
Name
230 Bear Tavern Rd
Address
West Trenton NJ 08628
City/State/Zip

SERVE:
Name
Address
City/State/Zip

SERVE:
Name
Address
City/State/Zip

SERVE:
Name
Address
City/State/Zip

Appointed as requested:
**JOAN M. GILMER**, Circuit Clerk

By Joanna Off
Deputy Clerk

October 15 2012
Date

Max G. Margulis 24325
Attorney/Plaintiff/Petitioner
28 Old Bellefonte Rd. Chesterfield, MO 63017
Bar No. (636) 536-7022 (636) 536- 6652
Address MaxMargulis@Margulislaw.com
Phone No. Fax No.

CCADM62 Rev. 03/06 WHITE – File YELLOW-Special Process Server PINK - Attorney/Petitioner

STATE OF MISSOURI )
)
ST. LOUIS COUNTY )

**IN THE CIRCUIT COURT OF THE ST. LOUIS COUNTY**
**STATE OF MISSOURI**

| | |
|---|---|
| ST. LOUIS HEART CENTER, INC., individually and on behalf of all others similarly-situated,<br><br>Plaintiff,<br><br>v.<br><br>FOREST PHARMACEUTICALS, INC., and THE PEER GROUP, INC.<br><br>Defendants. | Cause No. _____<br><br>Division |

12SL-CC03792



**MOTION FOR CLASS CERTIFICATION** [1]

COMES NOW Plaintiff, individually and on behalf of all others similarly situated, by and through its undersigned counsel, and for its Motion for Class Certification, states

1. This cause should be certified as a class because all of the necessary elements of Rule 52.08 are met.

---

1. Recent developments in class action practice make necessary the filing of this motion with the petition. Defendants in class litigation have resorted to making individual settlement offers to named plaintiffs before a class action is certified in an attempt to "pick-off" the putative class representative and thereby derail the class action litigation. Most courts have rejected these pick-off attempts and have held that the filing of a motion for class certification with the initial petition or within a number of days after service of any settlement offer to a named plaintiff staves off offers of judgment to the named plaintiff. Any settlement offer made after the filing of the motion for class certification must be made on a class-wide basis. *See Alpern v. UtiliCorp United*, 84 F.3d 1525 (8th Cir. 1996); *Weiss v. Regal Collections*, 385 F. 3d 337, 344 n. 12 (3d Cir. 2004); *see Jancik v. Cavalry Portfolio Servs.*, 2007 WL 1994026, at *2–3 (D. Minn. July 3, 2007) *Harris v. Messerli & Kramer, P.A.*, 2008 WL 508923, at *2–3 (D. Minn. Jan. 2, 2008) (same); *Johnson v. U.S. Bank Nat'l Assn.*, 276 F.R.D. 330, 333-335 (D. Minn. 2011) (same). *See also Lucero v. Bureau of Collection Recovery, Inc.*, 639 F.3d 1239, 1249 (10th Cir. 2011); *Mey v. Monitronics Int'l, Inc.*, 2012 WL 983766, at * 4-5 (N.D. W.Va. Mar. 22, 2012); *Hrivnak v. NCO Portfolio Mgmt., Inc.*, 723 F.Supp.2d 1020, 1029 (N.D. Ohio 2010); *McDowall v. Cogan*, 216 F.R.D. 46, 48-50 (E.D. N.Y. 2003).
2.

2. Plaintiff requests that the Court certify a class, so the common claims of the Class members, based on a uniform legal theory and factual allegations applicable to all Class members, can be resolved on a class-wide basis.

3. Plaintiff proposes the following Class definition:

> All persons who on or after four years prior to the filing of this action, were sent telephone facsimile messages of material advertising pharmaceutical products by or on behalf of Defendant.

4. Under Rule 52.08(a)(1), to bring a Class action, the Class must be "so numerous that joinder of all members is impracticable." Rule 52.08(a)(1). Here, there are at least hundreds of persons who fall within the Class definition. Thus, the numerosity requirement of Rule 52.08(a)(1) is satisfied.

5. There are questions of law or fact common to the Class members.

6. The claims or defenses of the representative parties are typical of the claims or defenses of this Class.

7. Plaintiff and its counsel will fairly and adequately protect the interest of the Class.

8. Common issues of law or fact predominate over any individual issues, and a class action is the superior method for the fair and efficient adjudication of this controversy.

9. The prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for the party opposing the class.

10. The prosecution of separate actions by individual members of the class would create a risk of adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests.

11. Plaintiff requests additional time to file its supporting Memorandum of Law after the Court sets up an appropriate discovery schedule. Written discovery related to class certification issues is presently outstanding.

WHEREFORE, Plaintiff prays that this Court certify this case as a class action, grant statutory injunctive relief prohibiting Defendants from sending advertising materials via fax to members of the class, and further pray that the Court appoint Plaintiff as Class Representative, appoint Plaintiff's attorneys Class Counsel; that this Court allow Plaintiff additional time, for completion of discovery related to class certification issues, to file its Memorandum of Law in Support of this Motion; and for such other and further relief as the Court deems appropriate under the circumstances.

Respectfully submitted,

Max G. Margulis, #24325
MARGULIS LAW GROUP
28 Old Belle Monte Rd.
Chesterfield, MO 63017
P: (636) 536-7022
F: (636) 536-6652
E-Mail: MaxMargulis@MargulisLaw.com

Of Counsel
Brian J. Wanca
ANDERSON + WANCA
3701 Algonquin Road, Suite 760
Rolling Meadows, IL 60008
P: (847) 368-1500

Phillip A. Bock #6224502
Bock & Hatch, LLC
134 North LaSalle
Chicago, IL 60602
P: (312) 658-5500
F: (312) 658-5555
Email: phil@bockhatchllc.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served on the Defendants Forest Pharmaceuticals, Inc. by the sheriff and on The Peer Group, Inc., by process server at the same time as the petition.

Max G. Margulis

STATE OF MISSOURI )
)
ST. LOUIS COUNTY )

**IN THE CIRCUIT COURT OF THE ST. LOUIS COUNTY**
**STATE OF MISSOURI**

| | |
|---|---|
| ST. LOUIS HEART CENTER, INC., individually and on behalf of all others similarly-situated,<br><br>Plaintiff,<br><br>v.<br><br>FOREST PHARMACEUTICALS, INC.,<br>Serve: United States Corporation Co.<br>221 Bolivar St.<br>Jefferson City, MO 65101<br>Cole County<br>and<br><br>THE PEER GROUP, INC.<br>Serve: Corporation Service Company.<br>830 Bear Tavern Rd.<br>West Trenton, NJ 08628<br>Mercer County<br><br>Defendants. | Cause No. 1322-CC03796<br><br>Division 1<br><br>SHERIFF<br><br>PROCESS SERVER<br><br>RECEIVED CIRCUIT COURT OF ST. LOUIS COUNTY OCT 4 PM 2:15 |

## CLASS ACTION PETITION

Plaintiff, ST. LOUIS HEART CENTER, INC. ("Plaintiff"), brings this action on behalf of itself and all others similarly situated, through its attorneys, and except as to those allegations pertaining to Plaintiff or its attorneys, which allegations are based upon personal knowledge, alleges the following upon information and belief against Defendants, FOREST PHARMACEUTICALS, INC. and THE PEER GROUP, INC., ("Defendants"):

## PRELIMINARY STATEMENT

1. This case challenges Defendants' practice of sending unsolicited facsimile advertisements.

2. The federal Telephone Consumer Protection Act, 47 USC § 227, prohibits a person or entity from sending or having an agent send fax advertisements without the recipient's prior express invitation or permission ("junk faxes" or "unsolicited faxes"). The TCPA provides a private right of action and provides statutory damages of $500 per violation.

3. Unsolicited faxes damage their recipients. A junk fax recipient loses the use of its fax machine, paper, and ink toner. An unsolicited fax wastes the recipient's valuable time that would have been spent on something else. A junk fax interrupts the recipient's privacy. Unsolicited faxes prevent fax machines from receiving authorized faxes, prevent their use for authorized outgoing faxes, cause undue wear and tear on the recipients' fax machines, and require additional labor to attempt to discern the source and purpose of the unsolicited message. A junk fax consumes a portion of the limited capacity of the telecommunications infrastructure serving the victims of junk faxing.

4. On behalf of itself and all others similarly situated, Plaintiff brings this case as a class action asserting claims against Defendants under the TCPA, the common law of conversion and Missouri consumer and fraud and deceptive business practices act Chapter 407.

5. Plaintiff seeks an award of statutory damages for each violation of the TCPA.

## JURISDICTION AND PARTIES

6. This court has personal jurisdiction over Defendants because Defendants transacts business within this state, have made contracts within this state, and/or have committed tortious acts within this state and otherwise have sufficient minimum contacts with the State of Missouri.

7. Plaintiff ST. LOUIS HEART CENTER, INC., is a Missouri corporation with its principal place of business in Missouri.

8. On information and belief, Defendant, FOREST PHARMACEUTICALS, INC., is a corporation with its principal place of business in New York and doing business in Missouri.

9. On information and belief, Defendant, THE PEER GROUP, INC., is a corporation with its principal place of business in New Jersey.

## RELEVANT FACTS

10. Between the dates of August 3, 2012 and January 4, 2011 Defendant sent 40 unsolicited facsimiles to Plaintiff in St. Louis County, Missouri. A true and correct copy of the facsimiles are attached as Exhibits 1 – 40.

11. Defendants approved, authorized and participated in the scheme to broadcast faxes by (a) directing a list to be purchased or assembled; (b) directing and supervising employees or third parties to send the faxes; (c) creating and approving the form of fax to be sent; and (d) determining the number and frequency of the facsimile transmissions.

12. Defendants created or made Exhibits 1 – 40, which Defendants distributed to Plaintiff and the other members of the class.

13. Exhibits 1 – 40 are a part of Defendants' work or operations to market Defendants' goods or services which was performed by Defendants and on behalf of Defendants.

14. Exhibits 1 – 40 constitutes material furnished in connection with defendants' work or operations.

15. Exhibits 1 – 40 hereto are material advertising the commercial availability of any property, goods, or services.

16. The transmissions of Exhibits 1 – 40 to Plaintiff did not contain a notice that informs the recipient of the ability and means to avoid future unsolicited advertisements.

17. The transmissions of Exhibits 1 – 40 to Plaintiff did not contain a notice that states that the recipient may make a request to the sender of the advertisement not to send any future advertisements to a telephone facsimile machine or machines and that failure to comply, within 30 days, with such a request meeting the requirements under paragraph 47 C.F.R. 64.1200(a)(3)(v) of this section is unlawful.

18. The transmissions of Exhibits 1 – 40 to Plaintiff did not contain a notice that complied with the provisions of 47 U.S.C. § 227(b)(1)(C) and/or 47 C.F.R. 64.1200(a)(3).

19. The transmissions of Exhibits 1 – 40 to Plaintiff was required to contain a notice that complied with the provisions of 47 U.S.C. § 227(b)(1)(C) and/or 47 C.F.R. 64.1200(a)(3).

20. Plaintiff had not invited or given permission to Defendants to send fax advertisements.

21. Plaintiff did not have an established business relationship with Defendants.

22. On information and belief, Defendants sent multiple unsolicited facsimiles to Plaintiff and members of the proposed classes throughout the time period covered by the class definitions.

23. On information and belief, Defendants faxed the same and similar facsimiles to the members of the proposed classes in Missouri and throughout the United States without first obtaining the recipients' prior express permission or invitation.

24. There is no reasonable means for Plaintiff (or any other class member) to avoid receiving unlawful faxes. Fax machines are left on and ready to receive the urgent communications their owners desire to receive.

25. Defendants knew or should have known that: (a) Exhibits 1 – 40 were a advertisements; (b) Plaintiff and the other members of the class had not given their prior permission or invitation to receive Exhibits 1 – 40; (c) No established business relationship existed with Plaintiff and the other members of the class; and (d) Defendants did not display a proper opt out notice.

26. Defendants engaged in the transmissions of Exhibits 1 – 40 believing such transmissions were legal based on Defendants' own understanding of the law and/or based on the representations of others on which Defendants reasonably relied.

27. Defendants did not intend to send transmissions of Exhibits 1 – 40 to any person where such transmission was not authorized by law or by the recipient, and to the extent that any transmissions of Exhibits 1 – 40 was sent to any person and such transmission was not authorized by law or by the recipient, such transmission was made based on either Defendants' own understanding of the law and/or based on the representations of others on which Defendants reasonably relied.

28. Defendants failed to correctly determine the legal restrictions on the use of facsimile transmissions and the application of those restrictions to the transmission of Exhibits 1 – 40 both to others in general, and specifically to Plaintiff.

29. The transmissions of Exhibits 1 – 40 to Plaintiff caused destruction of Plaintiff's property.

30. The transmissions of Exhibits 1 – 40 to Plaintiff interfered with Plaintiff's exclusive use of Plaintiff's property.

31. The transmissions of Exhibits 1 – 40 to Plaintiff interfered with Plaintiff's business and/or personal communications.

## COUNT I
## TELEPHONE CONSUMER PROTECTION ACT, 47 U.S.C. § 227

32. Plaintiff incorporates the preceding paragraphs as though fully set forth herein.

33. Plaintiff brings Count I pursuant to the Telephone Consumer Protection Act, 47 U.S.C. § 227, on behalf of the following class of persons:

> All persons who (1) on or after four years prior to the filing of this action, (2) were sent telephone facsimile messages of material advertising the commercial availability of any property, goods, or services by or on behalf of Defendants (3) with respect to whom Defendants cannot provide evidence of prior express permission or invitation for the sending of such faxes, (4) with whom Defendants does not have an established business relationship and (5) which did not display a proper opt out notice.

34. A class action is warranted because:

a. On information and belief, the class includes more than forty persons and is so numerous that joinder of all members is impracticable.

b. There are questions of fact or law common to the class predominating over questions affecting only individual class members, including without limitation:

i. Whether Defendants engaged in a pattern of sending unsolicited fax advertisements;

ii. Whether Exhibits 1 – 40 contain material advertising the commercial availability of any property, goods or services;

iii. Whether Defendants' facsimiles advertised the commercial availability of property, goods, or services;

iv. The manner and method Defendants used to compile or obtain the list of fax numbers to which they sent Exhibits 1 – 40 and other unsolicited faxed advertisements;

v. Whether Defendants faxed advertisements without first obtaining the recipients' prior express permission or invitation;

vi. Whether Defendants violated the provisions of 47 USC § 227;

vii. Whether Plaintiff and the other class members are entitled to statutory damages;

viii. Whether Defendants knowingly violated the provisions of 47 USC § 227;

ix. Whether Defendants should be enjoined from faxing advertisements in the future;

x. Whether the Court should award trebled damages; and

xi. Whether Exhibits 1 – 40 displayed the proper opt out notice required by 64 C.F.R. 1200.

35. Plaintiff will fairly and adequately protect the interests of the other class members. Plaintiff's counsel are experienced in handling class actions and claims involving unsolicited advertising faxes. Neither Plaintiff nor Plaintiff's counsel has any interests adverse or in conflict with the absent class members.

36. A class action is an appropriate method for adjudicating this controversy fairly and efficiently. The interest of each individual class member in controlling the prosecution of separate claims is small and individual actions are not economically feasible.

37. The TCPA prohibits the "use of any telephone facsimile machine, computer or other device to send an unsolicited advertisement to a telephone facsimile machine...." 47 U.S.C. § 227(b)(1).

38. The TCPA defines "unsolicited advertisement," as "any material advertising the commercial availability or quality of any property, goods, or services which is transmitted to any person without that person's express invitation or permission." 47 U.S.C. § 227(a)(4).

39. The TCPA provides:

> Private right of action. A person may, if otherwise permitted by the laws or rules of court of a state, bring in an appropriate court of that state:
>
> (A) An action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation,
>
> (B) An action to recover for actual monetary loss from such a violation, or to receive $500 in damages for each such violation, whichever is greater, or
>
> (C) Both such actions.

40. The Court, in its discretion, may treble the statutory damages if the violation was knowing. 47 U.S.C. § 227.

41. The TCPA is a strict liability statute and the Defendants are liable to Plaintiff and the other class members even if their actions were only negligent.

42. Defendants' actions caused damages to Plaintiff and the other class members. Receiving Defendants' junk faxes caused the recipients to lose paper and toner consumed in the printing of Defendants' faxes. Moreover, Defendants' actions interfered with Plaintiff's use of its fax machine and telephone line connected to that fax machine. Defendants' faxes cost Plaintiff time, as Plaintiff and its employees wasted their time receiving, reviewing and routing Defendants' unlawful faxes. That time otherwise would have been spent on Plaintiff's business activities. Finally, Defendants' faxes unlawfully interrupted Plaintiff's and the other class members' privacy interests in being left alone.

43. Defendants did not intend to cause damage to Plaintiff and the other class members, did not intend to violate their privacy, and did not intend to interfere with recipients' fax machines or consume the recipients' valuable time with Defendants' advertisements.

44. If the court finds that Defendants knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than three times the amount available under subparagraph (B) of this paragraph. 47 U.S.C. § 227(b)(3).

45. Defendants knew or should have known that: (A) Plaintiff and the other class members had not given express permission or invitation for Defendants or anyone else to fax advertisements about Defendants' goods or services, (B) Defendants did not have an established business relationship with Plaintiff and the other members of the class, (C) Exhibits 1 – 40 were advertisements, and (D) Exhibits 1 – 40 did not display the proper opt out notice.

46. Defendants violated 47 U.S.C. § 227 et seq. by transmitting Exhibits 1 – 40 hereto to Plaintiff and the other members of the class without obtaining their prior express permission or invitation and not displaying the proper opt out notice required by 64 C.F.R. 1200.

Defendants knew or should have known that: (a) documents in Exhibits 1 – 40 were an advertisement; (b) Defendants did not obtain prior permission or invitation to send documents in Exhibits 1 – 40; (c) Defendants did not have an established business relationship with Plaintiff or the other members of the class and (d) Defendants did not display a proper opt out notice.

Defendants engaged in the transmissions of documents in Exhibits 1 – 40 believing such transmissions were legal based on Defendants' own understanding of the law and/or based on the representations of others on which Defendants reasonably relied.

Defendants did not intend to send transmissions of documents in Exhibits 1 – 40 to any person where such transmission was not authorized by law or by the recipient, and to the extent that any transmissions of documents in Exhibits 1 – 40 were sent to any person and such transmission was not authorized by law or by the recipient, such transmission was made based on either Defendants' own understanding of the law and/or based on the representations of others on which Defendants reasonably relied.

Defendants failed to correctly determine the legal restrictions on the use of facsimile transmissions and the application of those restrictions to the transmission of documents in Exhibits 1 – 40 both to others in general, and specifically to Plaintiff.

47. Defendants' actions caused damages to Plaintiff and the other class members, because their receipt of Defendants' unsolicited fax advertisements caused them to lose paper and toner consumed as a result. Defendants' actions prevented Plaintiff's fax machine from being used

for Plaintiff's business purposes during the time Defendants were using Plaintiff's fax machine for Defendants' unauthorized purpose. Defendants' actions also cost Plaintiff employee time, as Plaintiff's employees used their time receiving, routing and reviewing Defendants' unauthorized faxes and that time otherwise would have been spent on Plaintiff's business activities. Finally, the injury and property damage sustained by Plaintiff and the other members of the class occurred outside of Defendants' premises. Pursuant to law, Plaintiff, and each class member, instead may recover $500 for each violation of the TCPA.

WHEREFORE, Plaintiff, ST. LOUIS HEART CENTER, INC., individually and on behalf of all others similarly situated, demand judgment in its favor and against Defendant, FOREST PHARMACEUTICALS, INC. and THE PEER GROUP, INC., as follows:

A. That the Court adjudge and decree that the present case may be properly maintained as a class action, appoint Plaintiff as the representative of the class, and appoint Plaintiff's counsel as counsel for the class;

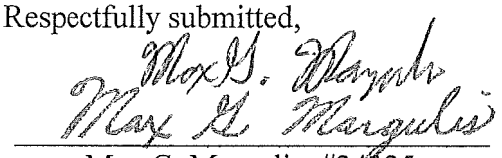
B. That the Court award between $500.00 and $1,500.00 in damages for each violation of the TCPA;

C. That the Court enter an injunction prohibiting the Defendants from engaging in the statutory violations at issue in this action; and

D. That the Court award costs and such further relief as the Court may deem just and proper.

E. That the Court award pre-judgment and post-judgment interest at the statutory rate of 9%.

Respectfully submitted,



Max G. Margulis, #24325
**MARGULIS LAW GROUP**
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P: (312) 658-5500
F: (312) 658-5555
Email: phil@bockhatchllc.com

STL Heart Center **BYSTOLIC®: For the Treatment of Hypertension**

6/2X

August 3, 2010

Dr Ronald Weiss
1031 Bellevue Ave, Ste 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating health care professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: August 9, 2010
Time: ☐ 8:00 PM ☐ 10:30 PM

Date: August 10, 2010
Time: ☐ 8:30 PM ☐ 9:30 PM ☐ 10:00 PM

Date: August 11, 2010
Time: ☐ 8:00 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 1

STL Heart Center

410 X

**BYSTOLIC®: For the Treatment of Hypertension**

August 10, 2010

Dr. Ronald Weiss
1031 Bellevue Ave, Ste 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Brissette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Morton's of Chicago
7822 Bonhomme
Clayton, MO 63105

Phone Number:
3147254008

Date:
August 30, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sicksinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renalimpairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (eg, an 8-foldincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 2

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

615 X

August 10, 2010

Dr Ronald Weiss
1031 Bellevue Ave, Ste 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension.** Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: August 16, 2010
Time: ☐ 9:00 PM ☐ 10:30 PM

Date: August 17, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: August 18, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: August 19, 2010
Time: ☐ 8:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

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Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 3

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

614 X

August 12, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Morton's of Chicago
7822 Bonhomme
Clayton, MO 63105

Phone Number:
3147254008

Date:
August 30, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
~~Dinner and Discussion~~

If your address has recently changed, please ~~provide us with the updated information here.~~

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 4

STL Heart Center

# BYSTOLIC®: For the Treatment of Hypertension

613 X

August 12, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: August 16, 2010
Time: ☐ 9:00 PM ☐ 10:30 PM

Date: August 17, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets
Balance of Efficacy and Tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sicksinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renalimpairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-foldincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 5

StL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

Will X

August 17, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating health care professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: August 23, 2010
Time: ☐ 9:30 PM ☐ 10:00 PM

Date: August 24, 2010
Time: ☐ 8:00 PM ☐ 10:30 PM

Date: August 25, 2010
Time: ☐ 8:30 PM ☐ 9:00 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with beta blockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

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In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 6

Stl Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

618X

August 24, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bissette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Morton's of Chicago
7822 Bonhomme
Clayton, MO 63105

Phone Number:
3147254008

Date:
August 30, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
~~Dinner and Discussion~~

If your address has recently changed, please ~~provide us with the updated information here.~~

Bystolic® (nebivolol) tablets. Name:
~~Sustained efficacy and tolerability~~ Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 7

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

cell x

August 30, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Morton's of Chicago
7822 Bonhomme
Clayton, MO 63105

Phone Number:
3147254008

Date:
August 30, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 8

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

417

August 31, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Araka
131 Carondelet Plaza
Clayton, MO 63105

Phone Number:
3147256777

Date:
September 23, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
~~Dinner and Discussion~~

If your address has recently changed, please ~~provide us with the updated information here.~~

Name:

Phone:

Address:

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

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In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 9

STL Heart Center

# BYSTOLIC®: For the Treatment of Hypertension

419 X

August 31, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: September 7, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: September 8, 2010
Time: ☐ 8:30 PM ☐ 9:30 PM ☐ 10:30 PM

Date: September 9, 2010
Time: ☐ 8:00 PM ☐ 10:30 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets

**Important Safety Information**

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 10

Stl Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

020X

September 7, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: September 13, 2010
Time: ☐ 8:00 PM ☐ 9:00 PM ☐ 10:00 PM

Date: September 14, 2010
Time: ☐ 9:30 PM

Date: September 15, 2010
Time: ☐ 9:30 PM

Date: September 16, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic (nebivolol) tablets

Balance of Efficacy and Tolerability

**Important Safety Information**

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Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 11

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

621X

September 14, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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Sincerely,

Kathleen Bressette

President
The Peer Group

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**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Araka
131 Carondelet Plaza
Clayton, MO 63105

Phone Number:
3147256777

Date:
September 23, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balances efficacy and tolerability.

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 12

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

022X

September 20, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Araka
131 Carondelet Plaza
Clayton, MO 63105

Phone Number:
3147256777

Date:
September 23, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets. Balance of efficacy and tolerability.

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sicksinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renalimpairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-folincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 13

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

023X

September 21, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: October 4, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: October 5, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: October 6, 2010
Time: ☐ 9:00 PM ☐ 10:30 PM

Date: October 7, 2010
Time: ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 14

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

6024X

September 28, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension.** Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Ruth's Chris Steakhouse
315 Chestnut Street
St Louis, MO 63102

Phone Number:
3142593200

Date:
October 19, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 15

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

625X

October 5, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Brisette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Ruth's Chris Steakhouse
315 Chestnut Street
St Louis, MO 63102

Phone Number:
3142593200

Date:
October 19, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 16

Stl Heart Center

# BYSTOLIC®: For the Treatment of Hypertension

02 LoX

October 5, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: October 11, 2010
Time: ☐ 8:30 PM ☐ 10:30 PM

Date: October 12, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: October 13, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: October 14, 2010
Time: ☐ 10:30 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of Efficacy and Tolerability

**Important Safety Information**

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The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 17

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

027 X

October 19, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: October 25, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: October 26, 2010
Time: ☐ 9:00 PM ☐ 10:30 PM

Date: October 27, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: October 28, 2010
Time: ☐ 10:30 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of Efficacy and Tolerability

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Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 18

STL Heart Center

029

**BYSTOLIC®: For the Treatment of Hypertension**

October 26, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Ruth's Chris Steakhouse
315 Chestnut Street
St Louis, MO 63102

Phone Number:
3142593200

Date:
November 18, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 19

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

028X

October 26, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: November 1, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: November 2, 2010
Time: ☐ 8:00 PM ☐ 9:00 PM ☐ 10:30 PM

Date: November 3, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 20

STL Heart Center 030 X

**BYSTOLIC®: For the Treatment of Hypertension**

November 2, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Ruth's Chris Steakhouse
315 Chestnut Street
St Louis, MO 63102

Phone Number:
3142593200

Date:
November 18, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic (nebivolol) tablets. Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 21

STL Heart Center

# BYSTOLIC®: For the Treatment of Hypertension

032

November 3, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: November 8, 2010
Time: ☐ 8:30 PM ☐ 9:30 PM

Date: November 9, 2010
Time: ☐ 9:00 PM ☐ 10:00 PM

Date: November 10, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: November 11, 2010
Time: ☐ 10:30 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic (nebivolol) tablets
Balance of Efficacy and Tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 22

STL Heart Center **BYSTOLIC®: For the Treatment of Hypertension** 031X

November 9, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

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We look forward to your participation in this exciting program.

Sincerely,
Kathleen Bresette
President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Ruth's Chris Steakhouse
315 Chestnut Street
St Louis, MO 63102

Phone Number:
3142593200

Date:
November 18, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
~~Dinner and Discussion~~

If your address has recently changed, please ~~provide us with the updated information here.~~

Bystolic® (nebivolol) tablets. Balance of efficacy and tolerability.

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 23

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

U33

November 9, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: November 15, 2010
Time: ☐ 8:00 PM ☐ 9:00 PM ☐ 9:30 PM ☐ 10:30 PM

Date: November 16, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: November 17, 2010
Time: ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of Efficacy and Tolerability

**Important Safety Information**

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**Please see www.BYSTOLIC.com for full Prescribing Information.**

EXHIBIT 24

1031

STL Heart Center **BYSTOLIC®: For the Treatment of Hypertension**

November 15, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Ruth's Chris Steakhouse
315 Chestnut Street
St Louis, MO 63102

Phone Number:
3142593200

Date:
November 18, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets. Balance of efficacy and tolerability.

Name:

Phone:

Address:

**Important Safety Information**

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 25

6.35

Stk Heart Center **BYSTOLIC®: For the Treatment of Hypertension**

November 16, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Fleming's Prime Steakhouse
1855 South Lindbergh Blvd.
St. Louis, MO 63131

Phone Number:
3145677610

Date:
December 15, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets. Balance effectiveness and tolerability.

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 26

STL Heart Center **BYSTOLIC®: For the Treatment of Hypertension** 0316

November 16, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: November 29, 2010
Time: ☐ 8:00 PM ☐ 9:00 PM ☐ 9:30 PM

Date: November 30, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: December 2, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 27

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

637 X

November 22, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,
Kathleen Bresette
President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Fleming's Prime Steakhouse
1855 South Lindbergh Blvd.
St. Louis, MO 63131

Phone Number:
3145677610

Date:
December 15, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 28

STL Heart Center **BYSTOLIC®: For the Treatment of Hypertension** 038

November 22, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating health care professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: November 29, 2010
Time: ☐ 8:00 PM ☐ 9:00 PM ☐ 9:30 PM

Date: November 30, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: December 2, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____ _____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of Efficacy and Tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 29

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

640

November 30, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: December 6, 2010
Time: ☐ 8:00 PM ☐ 9:30 PM

Date: December 7, 2010
Time: ☐ 9:00 PM ☐ 10:30 PM

Date: December 8, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: December 9, 2010
Time: ☐ 8:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sicksinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

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When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-folincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 30

St L Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

639 X

December 7, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Fleming's Prime Steakhouse
1855 South Lindbergh Blvd.
St. Louis, MO 63131

Phone Number:
3145677610

Date:
December 15, 2010

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic (nebivolol) tablets. Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sicksinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renalimpairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-folincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 31

STL Heart Center

# BYSTOLIC®: For the Treatment of Hypertension

December 7, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: December 13, 2010
Time: ☐ 8:30 PM ☐ 10:00 PM

Date: December 14, 2010
Time: ☐ 8:00 PM ☐ 9:00 PM

Date: December 15, 2010
Time: ☐ 9:30 PM ☐ 10:30 PM

Date: December 16, 2010
Time: ☐ 8:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

**Please see www.BYSTOLIC.com for full Prescribing Information.**

EXHIBIT 32

St. L Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

748

X

December 13, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Morton's of Chicago
7822 Bonhomme
Clayton, MO 63105

Phone Number:
3147254008

Date:
January 11, 2011

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 33

St. L Heart Center

747

X

**BYSTOLIC®: For the Treatment of Hypertension**

December 20, 2010

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: December 27, 2010
Time: ☐ 10:30 PM

Date: December 28, 2010
Time: ☐ 10:00 PM

Date: December 29, 2010
Time: ☐ 9:30 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balance of efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

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In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

**Please see www.BYSTOLIC.com for full Prescribing Information.**

EXHIBIT 34

St. L Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

746

X

December 20, 2010

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

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We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Morton's of Chicago
7822 Bonhomme
Clayton, MO 63105

Phone Number:
3147254008

Date:
January 11, 2011

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic (nebivolol) tablets
Balance of efficacy and tolerability

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-folincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 35

St. L Heart Center

# BYSTOLIC®: For the Treatment of Hypertension

744 X

February 8, 2011

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating health care professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: March 7, 2011
Time: ☐ 9:00 PM

Date: March 15, 2011
Time: ☐ 9:30 PM

Date: March 24, 2011
Time: ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip:

_____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic®
(nebivolol) tablets
Balanced efficacy and tolerability

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and theoccurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sicksinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renalimpairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-folincrease in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 37

St. L Heart Center

743

## BYSTOLIC®: For the Treatment of Hypertension

February 15, 2011

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Truffles
9202 Clayton Road
St. Louis, MO 63124

Phone Number:
3145679100

Date:
March 15, 2011

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
Dinner and Discussion

If your address has recently changed, please provide us with the updated information here.

Bystolic® (nebivolol) tablets. Balance of efficacy and tolerability.

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 38

St. L Heart Center

742

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**BYSTOLIC®: For the Treatment of Hypertension**

February 22, 2011

Dr. Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Local specialists and primary care practitioners will be participating in this interactive and dynamic dinner program.

In the right-hand column, please find the program time and location being offered in your area. Space is limited so please respond promptly. We ask that you RSVP via phone or fax.

A confirmation letter will be mailed to you approximately 10 days prior to the dinner program.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating healthcare professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

President
The Peer Group

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Venue:
Truffles
9202 Clayton Road
St. Louis, MO 63124

Phone Number:
3145679100

Date:
March 15, 2011

Time:
6:15 PM
Reception/Registration

6:30 PM– 8:00 PM
~~Dinner and Discussion~~

If your address has recently changed, please ~~provide us with the updated information here.~~

Bystolic® (nebivolol) tablets
~~Balance of efficacy and tolerability~~

Name:

Phone:

Address:

**Important Safety Information**

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the occurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, thyrotoxicosis, in patients treated concomitantly with betablockers and calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. If heart failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (ie, an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 39

STL Heart Center

**BYSTOLIC®: For the Treatment of Hypertension**

January 4, 2011

Dr Ronald Weiss
1031 Bellevue Avenue
Suite 206
Saint Louis, MO 63117

Dear Dr. Weiss

On behalf of Forest Pharmaceuticals, Inc. and The Peer Group, I am delighted to extend an invitation to join several of your colleagues for an in-depth medical discussion regarding the treatment of hypertension. The presentation will be led by an expert guest speaker as well as a professional moderator who will facilitate a discussion on **BYSTOLIC®: For the Treatment of Hypertension**. Specialists and primary care practitioners will be participating in this interactive and dynamic teleconference program.

In the right-hand column, please find program times that are being offered in the near future. Space is limited so please respond promptly. We ask that you RSVP via phone or fax. Also, please indicate the phone number at which you would like to receive the conference call.

We will mail you a confirmation letter approximately 10 days prior to the teleconference program. Attendance is on a first-come, first-served basis, so your prompt response via phone (1-888-PEER-321) or fax (1-800-929-8290) is greatly appreciated.

We comply with all applicable laws and regulations and endorse the ethical standards of the Pharmaceutical Research and Manufacturers of America (PhRMA) Code on Interaction with Healthcare Professionals. As such, this program is open to invitees only and product discussion will be limited to approved indicated uses. Thank you in advance for supporting our effort to ensure a high-quality learning environment for all participating health care professionals.

We look forward to your participation in this exciting program.

Sincerely,

Kathleen Bresette

Kathleen Bresette
President

**RSVP Information**

Phone: **1-888-PEER-321**
**(1-888-733-7321)**
Fax: **1-800-929-8290**

Please provide your phone number:

Please indicate which time is most convenient for an upcoming teleconference (ET):

Date: January 11, 2011
Time: ☐ 9:30 PM

Date: January 12, 2011
Time: ☐ 9:00 PM ☐ 10:30 PM

Date: January 13, 2011
Time: ☐ 9:00 PM ☐ 10:00 PM

Date: January 18, 2011
Time: ☐ 9:00 PM ☐ 10:00 PM

If your address has recently changed, please provide us with the updated information here.

Name: _____

Phone: _____

Address: _____

City, State and Zip: _____

To opt out of any future faxes, call 1-888-PEER-321 (1-888-733-7321) or fax us at 1-800-929-8290.

Bystolic® (nebivolol) tablets

Important Safety Information

Patients being treated with BYSTOLIC should be advised against abrupt discontinuation of therapy. Severe exacerbation of angina and the concurrence of myocardial infarction and ventricular arrhythmias have been reported following the abrupt cessation of therapy with beta blockers. When discontinuation is planned, the dosage should be reduced gradually over a 1- to 2-week period and the patient carefully monitored.

BYSTOLIC is contraindicated in severe bradycardia, heart block greater than first degree, cardiogenic shock, decompensated cardiac failure, sick sinus syndrome (unless a permanent pacemaker is in place), severe hepatic impairment (Child-Pugh >B), and in patients who are hypersensitive to any component of this product.

BYSTOLIC should be used with caution in patients with peripheral vascular disease, hyperthyroidism, in patients treated concomitantly with calcium channel blockers of the verapamil and diltiazem type (ECG and blood pressure should be monitored), severe renal impairment, and any degree of hepatic impairment or in patients undergoing major surgery. In patients who have compensated congestive heart failure, BYSTOLIC should be administered cautiously. Where failure worsens, discontinuation of BYSTOLIC should be considered. Caution should also be used in diabetic patients as beta blockers may mask some of the manifestations of hypoglycemia, particularly tachycardia.

When BYSTOLIC is administered with CYP2D6 inhibitors such as fluoxetine, significant increases in d- nebivolol may be observed (i.e., an 8-fold increase in AUC).

In general, patients with bronchospastic disease should not receive beta blockers.

BYSTOLIC should not be combined with other beta blockers.

The most common adverse events with BYSTOLIC versus placebo (approximately ≥1% and greater than placebo) were headache, fatigue, dizziness, diarrhea, nausea, insomnia, chest pain, bradycardia, dyspnea, rash, and peripheral edema.

Please see www.BYSTOLIC.com for full Prescribing Information.

EXHIBIT 40

I certify and attest that the above is a true copy of the original record of the Court in case number 12SL-CC03792 as it appears on file in my office.

Issued

11/28/2012

**JOAN M. GILMER**, Circuit Clerk
St. Louis County Circuit Court

By Cassidy Dobson
Deputy Clerk